Amendments to the Claims:

1. (Currently Amended) A method for a data network system for responding to a communication message ~~with a canned reply by a target user of a target device~~, the method comprising the steps of:

receiving a communication message from an originating device;

retrieving configuration data of the target device;

determining whether the target device is available for interactive communication with the originating device and whether a canned reply associated with the originating device is available based on the configuration data;

routing the communication message to the target device if the target device is available for interactive communication with the originating device; and

sending the canned reply to the originating device if the target device is unavailable for interactive communication with the originating device and the canned reply associated with the originating device is available.

2. (Original) The method of claim 1, wherein the interactive communication is conducted in real-time between an originating user of the originating device and the target user of the target device.

PAGE 6/13 * RCVD AT 6/8/2005 6:12:21 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/3 * DNIS:8729306 * CSID:18475232350 * DURATION (mm-ss):03-44

3. (Original) The method of claim 1, wherein the step of determining includes the step of detecting whether an instant messaging application of the target device is active.

4. (Original) The method of claim 1, further comprising the step of configuring the canned reply by the target device before the step of receiving the communication message from the originating device.

5. (Original) The method of claim 1, wherein the step of sending the canned reply to the originating device includes the step of withholding the communication message from the target device.

6. (Original) The method of claim 1, further comprising the step of determining whether rules for configuration of the originating device exist.

7. (Original) The method of claim 6, further comprising the steps of routing a first canned reply to the originating device if the target device is in at least one classification of devices, and routing a second canned reply to the originating device if the target device is outside of the at least one classification of devices.

8. (Original) The method of claim 1, further comprising the step of determining whether rules for configuration of the target device exist.

PAGE 7/13 * RCVD AT 6/8/2005 6:12:21 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/3 * DNIS:8729306 * CSID:18475232350 * DURATION (mm-ss):03-44

9. (Original) The method of claim 8, further comprising the steps of routing a first canned reply to the originating device if a location of the target device is within a defined area, and routing a second canned reply to the originating device if the location of the target device is outside of the defined area.

10. (Original) The method of claim 1, further comprising the step of retrieving status information of at least one of the originating device and the target device, wherein the step of determining whether the target device is available for interactive communication includes the step of comparing the status information against the configuration data to determine whether the target device is available for interactive communication.

PAGE 8/13 * RCVD AT 6/8/2005 6:12:21 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/3 * DNIS:8729306 * CSID:18475232350 * DURATION (mm-ss):03-44

11. (Currently Amended) A data network system for responding to a communication message ~~with a canned reply by a target user of a target device~~, the data network system comprising:

a messaging server for communicating with a plurality of client devices, the messaging server being effective to route the communication message from an originating device to the target device; and

a messaging proxy coupled to the messaging server, the messaging proxy being effective to direct the messaging server to route the communication message to the target device if the target device is available for interactive communication with the originating device and to send a canned reply associated with the originating device to the originating device if the target device is unavailable for interactive communication with the originating device and the canned reply associated with the originating device is available to the messaging proxy.

12. (Original) The data network system of claim 11, wherein the messaging proxy is incorporated within the messaging server.

13. (Original) The data network system of claim 11, wherein the target device includes an instant messaging application that is active.

14. (Original) The data network system of claim 11, further comprising a location register coupled to at least one of either the messaging server and the messaging proxy, the location register being effective to generate a current location of the target device.

PAGE 9/13 * RCVD AT 6/8/2005 6:12:21 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/3 * DNIS:8729306 * CSID:18475232350 * DURATION (mm-ss):03-44

15. (Original) The data network system of claim 11, wherein the communication message is withheld from the target device.

16. (Original) The data network system of claim 11, wherein the messaging proxy includes rules for configuration of the originating device.

17. (Original) The data network system of claim 16, wherein the messaging proxy includes a first canned reply that is sent to the originating device if the target device is in at least one classification of devices, and a second canned reply that is sent to the originating device if the target device is outside of the at least one classification of devices.

18. (Original) The data network system of claim 11, wherein the messaging proxy includes rules for configuration of the target device.

19. (Original) The data network system of claim 18, wherein the messaging proxy includes a first canned reply that is sent to the originating device if a location of the target device is within a defined area, and a second canned reply that is sent to the originating device if the location of the target device is outside of the defined area.

20. (Original) The data network system of claim 11, wherein the messaging proxy retrieves status information of at least one of the originating device and the target device and compares the status information against the configuration data to determine whether the target device is available for interactive communication.

PAGE 10/13 * RCVD AT 6/8/2005 6:12:21 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/3 * DNIS:8729306 * CSID:18475232350 * DURATION (mm-ss):03-44